

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

MIAMI VALLEY FAIR HOUSING	:	Case No. 3:08-cv-150
CENTER, INC., <i>et al.</i> ,		
Plaintiffs,	:	District Judge Thomas M. Rose
		Magistrate Judge Michael J. Newman
-vs-		
	:	
STEINER & ASSOCIATES, INC., <i>et al.</i> ,		
Defendants.	:	

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**ORDER ADOPTING REPORT AND RECOMMENDATION (DOC. 495)**

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The Court has reviewed the November 16, 2012 Report and Recommendation of United States Magistrate Judge Michael J. Newman (doc. 495), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b)(2) has expired, hereby **ADOPTS** said Report and Recommendation.

Accordingly, the Court **ORDERS** as follows:

1. The motions to dismiss filed by Alpine Insulation Co., Inc. (doc. 443); Barsto Construction, Inc. (doc. 209); Blake-Stevens Wood Flooring, Inc. (doc. 194); Donovan & Jorgensen, Inc. (docs. 447, 448); Hunzinger Construction Co. (doc. 141); Lakeside Stoneworks, LLC (doc. 200); Mandel Development, Inc. (doc. 179, 180); Mandel Group, Inc. (docs. 179, 180); Mega Industries Corp. (doc. 444); Miller's Carpet Co., Inc. (doc. 336); Rob Ben Construction, LLC (doc. 245); Roman Electric Co., Inc. (doc. 446); and Walton Construction Co., LLC (doc. 247) are **GRANTED**;

2. The motion to dismiss filed by Alpine Plumbing, Inc. (doc. 169) is **DENIED AS MOOT** in light of the Court's November 13, 2012 Order (doc. 494); and

3. Third-Party Defendants Alpine Insulation Co., Inc.; Barsto Construction, Inc.; Blake-Stevens Wood Flooring, Inc.; Donovan & Jorgensen, Inc.; Hunzinger Construction Co.; Lakeside Stoneworks, LLC; Mandel Development, Inc.; Mandel Group, Inc.; Mega Industries Corp.; Miller's Carpet Co., Inc.; Rob Ben Construction, LLC; Roman Electric Co., Inc.; and Walton Construction Co., LLC are **DISMISSED WITHOUT PREJUDICE**, and **TERMINATED** as parties upon the docket of this case.

December 5, 2012

*Thomas M. Rose*

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Thomas M. Rose  
United States District Judge